

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 20-cr-8 (ECT/TNL)

Plaintiff,

v.

ORDER

Eliseo Davila (1), and
Dustin James Youmans (2),

Defendants.

LeeAnn K. Bell, Assistant United States Attorney, United States Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415 (for the Government);

Steven J. Meshbesher, Meshbesher & Associates, PA, 10 South Fifth Street, Suite 225, Minneapolis, MN 55402 (for Defendant Davila); and

Jill A. Brisbois, Caplan & Tamburino Law Firm, P.A., 10 South Fifth Street, Suite 525, Minneapolis, MN 55402 (for Defendant Youmans).

This matter is before the Court, United States Magistrate Judge Tony N. Leung, on the Government's Motion for Discovery Pursuant to Federal Rules of Criminal Procedure 16(b), 12.1, 12.2, 12.3 and 26.2, ECF No. 26. Neither Defendant Eliseo Davila nor Defendant Dustin James Youmans has filed any pretrial motions, and both Defendants requested to be and were excused from the criminal motions hearing that had been scheduled for April 22, 2020. ECF Nos. 36, 37, 38, 39. By letter and e-mail correspondence with the Court, *see, e.g.*, ECF No. 40, Defendants state that they have no objection to the Government's motion, and the parties have requested that the motion be determined on the papers.

The Government's motion seeks discovery available under Federal Rules of Criminal Procedure 12.1, 12.2, 12.3, 16(b), and 26.2, as well as the establishment of deadlines for the disclosure of principal and rebuttal expert witnesses. The Government has proposed that principal experts be disclosed 30 days prior to trial and rebuttal experts be disclosed 10 days prior to trial. As stated above, Defendants have no objection to the Government's motion.

Therefore, **IT IS HEREBY ORDERED THAT** the Government's Motion for Discovery Pursuant to Federal Rules of Criminal Procedure 16(b), 12.1, 12.2, 12.3, and 26.2, ECF No. 26, is **GRANTED**. No later than 30 days prior to trial, the parties shall make their principal expert disclosures, and, no later than 10 days prior to trial, the parties shall make any rebuttal expert disclosures. *See Fed. R. Crim. P. 16(a)(1)(G), (b)(1)(C).*

Date: May 12, 2020

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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